

REMARKS

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

In the August 27, 2004 Advisory Action (Item 10), the Examiner states the October 25, 2001 Information Disclosure Statement, and its accompanying PTO Form 1449 was not found in the file. Applicants respectfully note that an Information Disclosure Statement, accompanied by PTO Form 1449, was filed concurrently on October 25, 2001. Photocopies of the IDS, the accompanying PTO form, certificate of mailing, and return postcard stamped by OIPE are included in **Attachment A**. For the convenience of the Examiner, **Attachment B** contains both the cited reference in its original Japanese language, and an English translation. Applicants request that the Examiner review the cited reference and initial the PTO Form 1449 so that the reference is made of record and identified on the face of any patent which may issue from this application.

The photocopies of the IDS and other documentation in **Attachment A** demonstrates that the reference cited in the IDS was properly in the case at the time of the Examiner's actions. However, there is no indication that the Examiner considered this reference when formulating an examination of the claims on the merits as required by 37 C.F.R. § 1.104(b). If a subsequent rejection be premised on the reference cited in the October 25, 2001 IDS, the Examiner should issue a non-final Office Action.

Status of the Claims

Claims 1-16 are pending. Claims 1, 5, 9 and 13 have been amended. No new matter is added.

Allowable Subject Matter

Applicants appreciatively acknowledge the Examiner's allowance of claims 3, 4, 11 and 12. The Applicants also acknowledge the Examiner's indication in the August 27, 2004 Advisory Action that claims 5 and 13, as amended, would be allowable.

Rejection Under 35 U.S.C. § 102

Claims 1, 7-9 and 15-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,219,021 to Izumi.

The Examiner contends that Izumi discloses an electronic apparatus having a display panel and a lighting means for lighting the display panel; a parameter adjusting means for, with a variation in a light state as a trigger, adjusting a parameter; and a signal correcting means for inputting and correcting an input display signal. The Examiner contends Izumi discloses that the adjusted parameter is the size of the characters.

Amended claim 1 now recites "a signal correcting means for inputting a display signal and correcting picture quality of an input display signal in accordance with an adjusted

adjustment upon receiving a light-sensing signal from a light sending device.” (Detailed Office Action, item 5, page 4.) The Examiner contends that it would have been obvious for a person of ordinary skill in the art at the time of the invention to combine Izumi and Evanicky to achieve the claimed invention.

Applicants submit that the combination of Izumi and Evanicky neither discloses nor suggests, singly or in combination, the feature recited in claim 1, and similarly recited in claim 9, of “a signal correcting means for inputting a display signal and correcting picture quality of an input display signal in accordance with an adjusted parameter.” Claims 2 and 6 depend from claim 1. Claims 10 and 14 depend from claim 9. Applicants submit that the combination of Izumi and Evanicky does not result in the invention of claims 2, 6, 10 and 14, and that claims 2, 6, 10 and 14 are patentable over the combination of Izumi and Evanicky for at least the same reasons as their respective base claims. Withdrawal and reconsideration of the rejection is requested.

CONCLUSION

Each and every point raised in the Office Action dated March 19, 2004 and the Advisory Action dated August 27, 2004 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-16 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: September 20, 2004

Respectfully submitted,

By

Richard J. Katz

Registration No.: 47,698

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

ATTACHMENTS: A, B



BEST AVAILABLE COPY

JAN 20 2002

MORRISON LAW FIRM

Ser./Reg./Pat No. _____ File No. M2047-27 By LMH
(Title) Mark Electronic Apparatus And Recording...
In the Matter of the Application of R. HATH, et al
the following, due 10/30/2001 in the U.S. Patent and Trademark Office, was received
in the Patent and Trademark Office Mail Room on the date stamped hereon:

<input type="checkbox"/> Affidavit or <input type="checkbox"/> Declaration	<input checked="" type="checkbox"/> Drawings <u>6</u> Sheet(s) including
<input type="checkbox"/> Response to Office Action	<u>6</u> Figs. <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Informal
<input type="checkbox"/> Extension Request	<input type="checkbox"/> Maintenance Fee
<input checked="" type="checkbox"/> <u>New</u> Application for Patent Including:	<input checked="" type="checkbox"/> Certificate of Mailing (Express)
<u>20</u> pp. Specification, <u>14</u> Claims (<u>2</u> Indep.)	<input type="checkbox"/> Power of Attorney
<input type="checkbox"/> Declaration or <input type="checkbox"/> Oath <input checked="" type="checkbox"/> Abstract	<input checked="" type="checkbox"/> IDS and Form PTO-1449 <u>w/one ref</u>
<input type="checkbox"/> Application for Registration/Renewal Including	<input checked="" type="checkbox"/> Priority Document(s) <u>2000-329911</u>
Specimens/Facsimilies <input type="checkbox"/> ITU	<input type="checkbox"/> § 8 & 15 Declaration <u>10868</u> U.S. PTO
<input type="checkbox"/> Assignment and Form PTO-1595	<input checked="" type="checkbox"/> Transmittal <u>10/045611</u>
<input type="checkbox"/> Small Entity Declaration	<input type="checkbox"/> _____
<input type="checkbox"/> Check No. _____ For \$ _____	<input type="checkbox"/> _____
<input type="checkbox"/> Deposit Account Authorization	<input type="checkbox"/> _____

Mailed: 10/25/01 * Filing Fee to be paid w/ Resp to MIP



BEST AVAILABLE COPY

Ser./Reg./Pat No. _____

File No. 172047-27 By UH

Title/Mark Electronic Apparatus And Recording...

In the Matter of the Application of K. HATA, et al

the following, due 10/30/2001 in the U.S. Patent and Trademark Office, was received in the Patent and Trademark Office Mail Room on the date stamped hereon:

☐ Affidavit or ☐ Declaration

☐ Response to Office Action

☐ Extension Request

☒ New Application for Patent Including:

20 pp. Specification, 14 Claims (2 Indep.)

☐ Declaration or ☐ Oath ☒ Abstract

☐ Application for Registration/Renewal Including Specimens/Facsimiles ☐ ITU

☐ Assignment and Form PTO-1595

☐ Small Entity Declaration

☐ Check No. _____ For \$ _____

☐ Deposit Account Authorization

Mailed:

10/25/01 * Filing fee to be paid w/ resp to MIP*

☒ Drawings 6 Sheet(s) including

6 Figs. ☒ Formal ☐ Informal

☐ Maintenance Fee

☒ Certificate of Mailing (Express)

☐ Power of Attorney

☒ IDS and Form PTO-1449 w/one ref

☒ Priority Document(s) 2000-329911

☐ § 8 & 15 Declaration

☒ Transmittal

☐ _____

☐ _____

☐ _____

☐ _____